

## **REMARKS**

In the Final Office Action of July 17, 2008, the Examiner maintains his rejection based upon various combinations of Thiers, Cornell, MacDonald, and Turner and finds unpersuasive the Applicants' argument that none of the cited references teach formation of a beveled edge from the side. Specifically, the Examiner contends that the independent claims, as currently written, do not require that the recess to be formed from the side surface. The Examiner also contends that Cornell discloses forming a recess from a side surface (column 8, lines 5-6). The Applicant respectfully disagrees with the Examiner, as described below.

First of all, the Applicant submits that the independent claims do, in fact, call for the recess to be formed from the side surface. In particular, the independent claims 1, 11, and 20 all call for "**forming a recess . . . from the side surface . . .**" Therefore, the Applicant's argument that none of the cited references disclose a recess that is formed from a side surface is commensurate with the scope of the claim.

Secondly, the Applicant disagrees that Cornell discloses forming a recess from a side surface. To support his rejection, the Examiner points to Cornell column 8, lines 5-6, which reads: "shaping one side surface of the groove to the curvilinear configuration desired for the facing." The Applicant does not disagree that Cornell discloses shaping a side surface, however, it is clear from the remainder of Cornell that the side surface of the groove is shaped (machined) from above (or below, depending upon which perspective you choose), and not from a side surface. See for example Cornell, Figure 1 and column 4, lines 19-24, and the references cited therein: 3,322,171 (especially at Figures 3 and 4) and 3,456,701.

Finally, the relevant passage supporting the Examiner's rejection seems to be the following on page 4 of the office action dated January 10, 2008: "It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method disclosed by Thiers by forming a recess as described by Cornell in order to prevent a joint line at the beveled surface and to match the veneer directly to the beveled edge as taught by MacDonald et al. to make the veneer flush with the edge." However, MacDonald teaches away from what the Applicant is trying to achieve since in MacDonald the beveled edge basically consists of a separate insert that is placed in the recess. In contrast, the claims call for covering the bevel with the undercut top layer.

In light of the significant differences between the prior art and the claimed invention, the Applicant respectfully requests that the Examiner reconsider his rejections of the claims and promptly issue a *Notice of Allowance*.

It is believed that no fees are due at this time. In the event that the Applicant is mistaken, you are hereby authorized to deduct all such fees from the Deposit Account of Baker & McKenzie, No. 02-0400, along with any other fees which may be required. *When identifying such a withdrawal, please use the Attorney Docket Number **BER-101-PCT/US**.*

Monday, September 19, 2008

Respectfully,

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